

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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FRANK L. MARSH, JR.,

Petitioner,

v.

WARDEN, NJSP, et al.,

Respondents.

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Civ. No. 19-15440 (FLW)

**MEMORANDUM AND ORDER**

Petitioner, Frank L. Marsh, Jr. (“Petitioner”), a state prisoner currently incarcerated at New Jersey State Prison, in Trenton, New Jersey, seeks to bring, by way of counsel, a petition for writ of *habeas corpus* under 28 U.S.C. § 2254. (See ECF No. 1.) A habeas petition must include either a \$5.00 filing fee or an application to proceed *in forma pauperis*. 28 U.S.C. §§ 1914(a), 1915(a); Rules Governing § 2254 Cases, Rule 2, 28 U.S.C.A. foll. § 2254. Petitioner’s filing included neither. Thus, this case is administratively terminated. Petitioner shall be given an opportunity to reopen this action should he so choose. Petitioner shall file any filing fee or *in forma pauperis* application within 45 days of the entry of this Memorandum and Order.

Therefore, IT IS, on this 18th day of July 2019,

ORDERED that the Clerk of the Court shall ADMINISTRATIVELY TERMINATE this case; and it is further

ORDERED that, if Petitioner wishes to reopen this case, he shall, within 45 days of the entry of this order, submit a written request to reopen accompanied by either the \$5.00 filing fee or a complete application to proceed *in forma pauperis*; and it is further

ORDERED that, upon receipt of a writing from Petitioner stating that he wishes to reopen this case and either the \$5.00 filing fee or a complete application to proceed *in forma pauperis*, the Clerk of the Court will be directed to reopen this case.

/s/ Freda L. Wolfson  
FREDA L. WOLFSON  
U.S. Chief District Judge